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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,644	03/29/2001	Han Zou	9432-000130	5714

27572 7590 07/13/2005

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EXAMINER	
NGUYEN, HUY THANH	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/821,644	ZOU ET AL.	
	Examiner	Art Unit	
	HUY T. NGUYEN	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-14 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 10/01/2001.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4,6-10 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Inai (6,055,565).

Regarding claim 1, Inai discloses a universal optical disc player (columns 10-12), comprising:

a disc drive with associated drive controller (Fig. 3) ;

a processor coupled to said drive controller (column 11, lines 1-26) ;

signal processing circuitry coupled to said processor and having an output port for coupling to a media presentation device;

a memory coupled to said processor having a data structure defined therein; said data structure comprising an operating system having an associated virtual machine that provides an environment to host an auto-run playback program obtained from an optical disc placed in said disc drive (column 11 lines 20-26) ;

said operating system and said auto-run playback program collectively provide control instructions to said processor to cause said processor to access media content from said optical disc and supply said media content to said signal processing circuitry for output to said media presentation device.

Regarding claim 2, Inai teaches the disc player of claim 1 wherein said media content includes embedded information used by said auto-run playback program column 11, lines 25-40.

Regarding claim 3, Inai teaches . The disc player of claim 1 wherein said media content includes embedded active agent program and said auto-run playback program interacts with said active agent program (column 11, lines 40-60).

Regarding claim 4, Inai teaches said data structure further comprises media support data used by said virtual machine in the event an autorun program is not obtained from said optical disc (column 11, lines 55-68).

Regarding claim 6, Inai discloses a method of distributing media content (column 11) , comprising:

placing an auto-run playback program on a machine-readable vehicle that also embodies said media content (column 11, lines 25-35;

supplying said machine-readable vehicle to a playback system;

loading said auto-run playback program into said playback system in response to said supplying step; and

using said loaded auto-run playback program to access and supply said media content through a media presentation device coupled to said playback system (column 11, lines 25-65).

Regarding claims 7-9, Inai teaches the method of claim 6 wherein said machine-readable vehicle is an optical disc, a memory and carrier .

Regarding claim 10, Inai teaches the method of claim 6 further comprising embedding an active agent program in said machine-readable vehicle and causing said auto-run playback program and said active agent program to interact in said process of accessing and supplying said media content through said media presentation device (column 11, lines 35-50, column 12, lines 10-20)).

Regarding claim 12 , Inai discloses the method of claim 6 wherein said step of using said loaded autorun playback program comprises providing a virtual machine within an operating system of a media player and executing said auto-run playback program from within said virtual machine (column 11,lines 15-45).

Regarding claim 13, Inai discloses the method of claim 6 wherein said playback system is a disc player and said supplying step is performed by placing a disc containing said auto-run playback program in said disc player (column 11, lines 20-35).

Regarding claim 14, Inai discloses the method of claim 6 further comprising supplying legacy media playback program and using said legacy media playback program in the event said auto-run playback program is not present on said media (column 11, line 35-68)

3. Claims 1-4, 6-10 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Brusky et al (5,954,805).

Regarding claim 1, Brusky discloses a universal optical disc player(Figs. 1-3) , comprising:

a disc drive (22) with associated drive controller (Fig. 1) ;

a processor (14) coupled to said drive controller (column 5, lines 25-40) ;

signal processing circuitry (42,36) coupled to said processor and having an output port for coupling to a media presentation device (Fig. 1, column 4, lines 20-40);

a memory coupled to said processor having a data structure defined therein; said data structure comprising an operating system having an associated virtual machine that provides an environment to host an auto-run playback program obtained from an optical disc placed in said disc drive (column 2 , lines 5-20) ;
said operating system and said auto-run playback program collectively provide control instructions to said processor to cause said processor to access media content from said optical disc and supply said media content to said signal processing circuitry for output to said media presentation device (column 5).

Regarding claim 2, Brusky teaches the disc player of claim 1 wherein said media content includes embedded information used by said auto-run playback program (column 5, lines 10- 40, Figs. 2-3).

Regarding claim 3, Brusky teaches said media content includes embedded active agent program and said auto-run playback program interacts with said active agent program (column 1, lines 60-65, column 5 lines 10-40).

Regarding claim 4, Brusky teaches the disc player of claim 1 wherein said data structure further comprises media support data used by said virtual machine in the event an autorun program is not obtained from said optical disc (column 3, lines 5-16).

Regarding claim 6, Brusky discloses a method of distributing media content (Figs. 1-3) , comprising:

placing an auto-run playback program on a machine-readable vehicle that also embodies said media content (column 2, lines 1-6,Fig. 2-3)

supplying said machine-readable vehicle to a playback system;

loading said auto-run playback program into said playback system in response to said supplying step; and

using said loaded auto-run playback program to access and supply said media content through a media presentation device coupled to said playback system (column 4, column 5, lines 10-40, column 6, lines 10-20).

Regarding claims 7-9, Brusky teaches the method of claim 6 wherein said machine-readable vehicle is an optical disc (CD) , a memory or a carrier .

Regarding claim 10, Brusky teaches the method of claim 6 further comprising embedding an active agent program in said machine-readable vehicle and causing said auto-run playback program and said active agent program to interact in said process of

accessing and supplying said media content through said media presentation device (column 1, lines 60-65, column 5, lines 10-40).

Regarding claim 12 , Brusky discloses the method of claim 6 wherein said step of using said loaded autorun playback program comprises providing a virtual machine within an operating system of a media player and executing said auto-run playback program from within said virtual machine (column 2, lines 35-55)..

Regarding claim 13, Brusky discloses the method of claim 6 wherein said playback system is a disc player and said supplying step is performed by placing a disc containing said auto-run playback program in said disc player (column 5, lines 10-30).

Regarding claim 14, Brusky discloses the method of claim 6 further comprising supplying legacy media playback program and using said legacy media playback program in the event said auto-run playback program is not present on said media (column 3, lines 5-15).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inai (6,055,565) in view of Nakamura (6,347,846) .

Inai fails to teaches that the media content includes embedded active agent program and said auto-run playback program interacts with said active agent program to effect copy protection as recited in claims 5 and 11.

Nakamura teaches a disc player having means for reading the embedded agent program (copy protection management program) from a media for effecting a copy protection (column 1, lines 40-50, column 8, lines 55-68, column 11, lines 55-68).

It would have been obvious t one of ordinary skill in the art to modify Inai with Nakamura by providing the embedded active agent program on the media of Inai and predetermined information as means for interact the autorun program and embedded active agent program thereby enhancing the capacity of the Inai apparatus for effectively accessing the content of the media for presentation .

6. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky et al (5,954,805) in view of Nakamura(6,347,846) .

Brusky fails to teaches that the media content includes embedded active agent program and said auto-run playback program interacts with said active agent program to effect copy protection as recited in claims 5 and 11 .

Nakamura teaches a disc player having means for reading the embedded agent program (copy protection management program) from a media for effecting a copy protection (column 1, lines 40-50, column 8, lines 55-68, column 11, lines 55-68).

It would have been obvious t one of ordinary skill in the art to modify Brusky with Nakamura by providing the embedded active agent program on the media of Inai

and predetermined information as means for interact the autorun program and embedded active agent program to enhance the capacity of the Inai apparatus for effectively accessing the content of the media for presentation .

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N

HUY NGUYEN
PRIMARY EXAMINER